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17 February 1993

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LETTER DATED 16 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Government of Croatia was very pleased with your letter dated 9 February 1993 (S/25274), and with the enclosed report of a preliminary site exploration of a mass grave near Vukovar. We hail the devoted and profound work of the Commission of Experts with a view to collecting and inspecting all the evidence of grave breaches of the Geneva Conventions and other violations of humanitarian law committed on the territory of Croatia, as well as on the territory of Bosnia and Herzegovina and elsewhere in the Balkans. It is our firm opinion that establishment of an International Criminal Tribunal to pass judgement upon all war criminals, and to judge all war crimes committed during the Serbian aggression against Croatia and Bosnia and Herzegovina, is an essential precondition for ending the crisis in the area and implanting the post-war confidence-building measures. Therefore, the Croatian Government will continue to give all its support to the work of the Commission of Experts and is looking forward to cooperating fully with United Nations efforts in precise implementation of Security Council resolutions 771 (1992) and 780 (1992).

Unfortunately, in welcoming the work of the Commission of Experts, Croatia must emphasize strong discontent with the fact that, in the report of a preliminary site exploration (S/25274, annex II), the town of Vukovar and surrounding area are considered to be in the "former Yugoslavia". Vukovar is, and can only be on the territory of the Republic of Croatia, a sovereign State Member of the United Nations.

The mass graves around Vukovar are filled with remains of Croatian soldiers and innocent civilians who boldly died for their country, the Republic of Croatia. For the sake of their memory, and everything they valiantly stood for, Croatia cannot allow that the soil they rest in be called "former Yugoslavia".

I would be grateful if you could provide for the distribution of this letter as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

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S/25302
17 February 1993

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3173rd meeting, held on 17 February 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

"The Security Council recalls all relevant resolutions of the Council and its statement of 25 January (S/25162) concerning the provision of humanitarian relief in the Republic of Bosnia and Herzegovina. It notes with deep concern that, notwithstanding the Council's demand in that statement, relief efforts continue to be impeded. It condemns the blocking of humanitarian convoys and the impeding of relief supplies, which place at risk the civilian population of the Republic of Bosnia and Herzegovina and endanger the lives of personnel delivering such supplies. It remains deeply concerned at reports of pressing humanitarian need in the Republic of Bosnia and Herzegovina, particularly in the eastern part of the country.

"The Council reiterates its demand that the parties and all others concerned allow immediate and unimpeded access to humanitarian relief supplies. It further demands that the parties and others concerned give the United Nations High Commissioner for Refugees the guarantees she has sought that they will abide by the promises they have made to comply with the Council's decisions in this regard, and thus facilitate the resumption of the full humanitarian relief programme, to which the Council attaches the greatest importance."

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LETTER DATED 17 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Enclosed to this letter please find a letter by the President of the Serbian National Party of Croatia Mr. Milan Djukic addressed to the Co-Chairmen of the Conference on the Former Yugoslavia. The letter points out some valuable elements that would, in the opinion of the Serbian National Party of Croatia, provide for full reintegration of the Serbian national body that lives on the territory of Croatia into political, parliamentary and civil structure of the Republic of Croatia.

The Serbian National Party of Croatia is a legitimate political organization that gathers and represents mostly Serbs - citizens of the Republic of Croatia. As a parliamentary party, it strives towards a peaceful settlement of the crisis, and uses its good will in appealing to all the Serbs that accept Croatia as their common homeland that they share with Croats and other nationalities that live in Croatia. The Party and its President enjoy respect among other parliamentary parties, and among the Croatian people.

I believe that the letter deserves your attention.

I would be grateful if you could provide for the distribution of this letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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Annex

Mr. Cyrus Vance
Lord Owen
Co-Chairmen of the Peace Conference

In their letter of 26 November 1992 the representatives of the Serbian National Party, the significant political and parliamentary representative of the ethnic and national Serbian community in the Republic of Croatia, came to you (as well as to H.E. Boutros Boutros-Ghali) with an appeal and explanation of some significant elements of the crisis in the former Yugoslavia. In addition, we also sent you the proposed project "Permanent Peace by Legal and Democratic Means" of 6 October 1992. Moreover, on 4 December 1992 we presented specific problems in our appeal "For Man and the Future".

In these documents the Serbian National Party endorses a number of democratic and, first and foremost, peaceful solutions to the crisis in the former Yugoslavia, and especially to the crisis in the Republic of Croatia caused by the war.

Faced with the absolute necessity and need for the restoration of the constitutional and legal system of the Republic of Croatia throughout her internationally recognized territory, we will resolutely persist in our peace-oriented policy based on democratic principles and viewpoints, and endeavour to prevent the possible escalation of new conflicts in the Republic of Croatia.

This is the reason why we would like to explain, highly appreciating your extremely significant international and peace-keeping role, the importance and the thinking of citizens of Serbian nationality who, in political and parliamentary terms, represent those Serbs in the Republic of Croatia whose fundamental credo and actions follow the spirit of the words of the scientist Nikola Tesla: "I am proud of my Serbian origin and of my Croatian homeland". We would also like to inform you that we have suggested, in our letter sent to H.E. Boutros Boutros-Ghali on 4 February, that our political and parliamentary status be taken account of, and we have made the following

Proposals

1. The establishment of international control along the borders of the Republic of Croatia by deploying UNPROFOR units.

2. The decision, by the United Nations Security Council, to extend the mandate of United Nations forces and provide for additional efficiency in its implementation.

3. In the areas of the Republic of Croatia currently not covered by the constitutional and legal system of the Republic, elections should be held as

soon as possible for local self-government in accordance with the laws of the Republic of Croatia, and under the control of Croatian and international institutions.

4. One should insist on the implementation of the Constitutional Law of the Republic of Croatia on Human Rights and Liberties, and Rights of Ethnic and National Communities or Minorities, under international control. Analogously, the same principle of democratic control should be applied with respect to the implementation of the same rights in other states of the former Yugoslavia, in line with current civilized and democratic solutions.

5. The major and most important transport and traffic (rail, road) routes throughout the Republic of Croatia should be restored through UNPROFOR involvement.

6. The full sovereignty and integrity of the Republic of Croatia should be resolved without postponement and urgently by the formation and activation of a special negotiating body consisting of representatives of the United Nations, the EEC, the Parliament and Government of the Republic of Croatia, and the representatives of the insurgent Serbs in the so-called "Krajina". As the venue for the activity of such a body we have suggested the City of Zagreb and, subsequently, Knin as well.

In addition to the foregoing, considering the seriousness of the issues involved and in order to stress how important it is to appreciate the political status of the Serbs in the Republic of Croatia, we would like to present certain undeniable facts, as follows:

1. The Serbian National Party has taken part, on two occasions (August 1992 and February 1993), in the elections for the Parliament of the Republic of Croatia with national lists of its candidates. We have three representatives in Parliament.

Accordingly, as a part of the politically organized Serbs and, at the same time, members of the Serbian community in the Republic of Croatia, we have not boycotted the elections, and we have entered the Parliament of the Republic of Croatia in a legitimate and lawful way. Indeed, the final results confirmed both the legitimacy and the serious political status of the Serbian national party as the representative of the political thinking and will of a considerable share of citizens of Serbian nationality in urban communities, and in areas where the constitutional and legal system of the Republic of Croatia is fully present.

2. At the February 1993 elections the Serbian national Party has won both an absolute and a relative majority <u>of total possible cast votes by citizens-voters of Serbian nationality</u>. Therefore, the voters have shown their preference for the political option of the Serbian National Party, thereby showing their trust, and confirming the lawfulness of the elections and the parliamentary representatives in the lists as the legitimate representatives of the Serbian ethnic and national community or minority in the Republic of Croatia.

3. The foregoing has accurately proved that only the Serbian National Party has articulated its policy in national but also civic terms with respect to its electorate, and particularly with respect to those Serbs who fully recognize the constitutional and legal system of the Republic of Croatia, and strive to achieve their civic status by political methods and measures.

4. There is no doubt that so-called "authorities" of the Krajina represent a political option imposed by military force which holds the majority of the population, who are ready to cooperate and favour a peaceful solution of the current crisis and of war in general, as political hostages by coercion and the force of arms. We have abundant testimony of such a situation, part of which has also come to your knowledge. Therefore, Mr. Hadzic and other "authorities" do not represent the legitimate political option; rather, it is the result of military coercion aimed even against one's own people.

5. According to the 1991 census, the population of the so-called "Krajina" totalled 146,000, which accounts for only 26.84 per cent of the total number of Serbs in the Republic of Croatia. All the other citizens of Serbian nationality lived in urban communities. Thus, for instance, the number of citizens of Serbian nationality in the entire Knin Krajina was less than the number, according to the same census, of citizens of Serbian nationality in Zagreb (58,000) and some other communities (Osijek 35,000; Rijeka 22,000; etc.).

6. It is true that there has been some migration of Serbs to the "Krajinas". However, it is due entirely to the political crisis, and to the late articulation of the political will of the Serbs in the Republic of Croatia.

7. The fact that the Serbian National Party has attained, at the February 1993 elections, an enviable result, with an increase in voter response of more than 100 per cent as compared to the turnout only five months earlier, shows that the Serbs accept the peace-oriented policy of our Party. More precisely, the Serbs in urban communities articulate their polticial choice only through and by the parliamentary representatives of the Serbian National Party.

Taking due account of the foregoing, dear Sirs, let us stress that the political status of the Serbs in the Republic of Croatia cannot be resolved only in terms of the "Krajina" issue.

With this letter we would like to inform you that Mr. Goran Hadzic cannot represent the political will of the Serbs in the areas in which he is operating (his is a military option of "representation"). He can confirm his legitimacy only by democratically held elections in accordance with the laws of the integral, indivisible, sovereign and internationally recognized Republic of Croatia. We, the Serbian National Party, have such legitimacy, and we have confirmed it on two occasions by taking part in the elections.

Even in the extreme instance, in his present position of "negotiator", Mr. Goran Hadzic represents no more than one third of the Serbs in the Republic of Croatia. Because of this fact, the possible recognition of such a position and role of Goran Hadzic will substantially contribute to the disintegration of the Serbian ethnic community in the Republic of Croatia, in which you could also indirectly become involved.

In the hope and faith that you will appreciate all the objective facts, and the evidence which we may additionally argument as required, we insist that the representatives of the Serbian National Party, who have confirmed their legitimacy before the Serbian people, also be included in the negotiations on the political status of the Serbs in the Republic of Croatia, and in the provision of conditions for permanent peace. The Serbian people have shown their trust in our Party by voting for and electing our candidates for members of the Parliament of the Republic of Croatia.

The Presidency of the
Serbian National Party

Milan DJUKIC
President

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ORIGINAL: ENGLISH

LETTER DATED 17 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF DENMARK TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text in English and French of a statement on the situation in Angola issued by the European Community and its member States on 17 February 1993.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Bent HAAKONSEN
Ambassador
Permanent Representative
of Denmark
to the United Nations

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Annex

[Original: English/French]

Statement on Angola

The Community and its member States support fully the declaration by the observers to the Bicesse Peace Accords concerning a deadline of 17 February 1993 for UNITA to decide on the setting of a date for a meeting in Addis Ababa between the subscribers to the Peace Accords for Angola. They align themselves with the appeal for truce in Huambo issued by the Special Representative of the United Nations Secretary-General.

They appeal strongly to the Government of Angola and UNITA to bring an immediate end to the fighting so that humanitarian aid can be provided to the wounded and suffering civilians, particularly in Huambo, where fighting has taken place for more than a month.

The Community and its member States reiterate their appeal, in particular to UNITA, to abide by the results of the elections, observe the peace accords and resume the demobilization process. Likewise, they repeat their appeal to the countries in the region to refrain from any act that could contribute to an internationalization of the present conflict.